Missouri Medicaid Audit & Compliance

Consumer Directed Program (CDS) Orientation



Cindy Werdehausen
Medicaid Specialist-Contracts Unit
Missouri Department of Social Services
205 Jefferson St., 2nd Floor, P.O. Box 6500
Jefferson City, MO 65102-6500
(573) 751-3399 (Telephone)
(573) 634-3105 (Electronic-Fax)
mmac.lhscontracts@dss.mo.gov

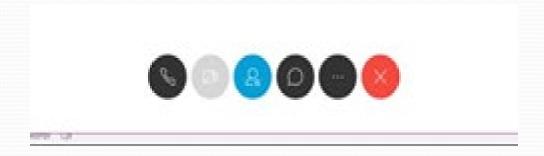
Housekeeping

- The presentation will be easier to follow if you make your view "full screen"
- You may submit questions using the CHAT option.
 Send questions to the "Panelists"; they will be the moderators for this training
- After each section, we will take a few minutes to answer questions submitted via CHAT Box



Housekeeping

 If you get disconnected, you clink on the telephone button or "Audio" and then click connect.



 We will be taking two breaks during the training to allow people to get up and move around, bathroom, stretch, etc.



Topics covered today

- Consumer ProgramOverview
- Proposal Submission/Process
- HIPAA/Office Space
- Guidance
- Screenings

- Taxes
- MMACInvestigations
- Provider Review-EVV
- CDS Providers –
 Keys to Success
- Certificates

CONSUMER PROGRAM OVERVIEW



What IS Consumer Directed Services?

Missouri's state Medicaid program, referred to as MO HealthNet, offers a consumer directed personal care program. Consumer Directed Services (CDS), also referred to as self-directed care, allows eligible applicants to hire, train, and supervise the individual(s) they choose to provide their personal care.

Family members can be hired to provide care. An exception are spouses and legal guardians.

What IS CDS? (cont.)

This personal care program is administered by the Division of Senior and Disability Services, a division of Missouri Department of Health and Senior Services (DHSS), and is available state wide.

Missouri Medicaid Audit and Compliance (MMAC) processes the contracts and MO HealthNet enrollments for CDS providers.

What IS CDS? (cont.)

While this program is not limited to the elderly, it does assist seniors who are unable to perform routine daily activities due to illness, such as cancer or kidney failure. Assistance is provided with daily living activities including toiletry, mobility, cooking, and light housekeeping.

CDS appeals to younger disabled individuals because the services can be provided by a qualified family member, though not a spouse or legal guardian. The time of service delivery is determined by the consumer and the attendant may transport the consumer.

What IS CDS? (cont.)

The attendant is NOT the employee of the CDS vendor/provider but the employee of the consumer.

Vendor/providers bear the responsibility of training the consumer.

Any issues concerning attendant screening, time keeping, taxes being paid under the consumer's EIN and repayment of funds to the state are the responsibility of the vendor/provider.

Main Responsibility of a CDS Provider

The care of the client, participant, consumer, what ever term you use; their care is your #1 priority.

Commonly Used Acronyms

DHSS Department of Health & Senior Services

DSDS Division of Senior & Disability Services

DSS Department of Social Services

MHD MO HealthNet Division

MMAC Missouri Medicaid Audit & Compliance

CSR Code of State Regulations

RSMo Revised Statutes of Missouri

FCSR Family Care Safety Registry

EDL Employee Disqualification List

GCW Good Cause Waiver

EVV Electronic Visit Verification



Where do I get information on how to be a CDS Provider?

MMAC.MO.GOV – under Proposal for Contract

CDS General Information

https://mmac.mo.gov/providers/provider-enrollment/home-and-community-based-services/contract-proposal-information/consumer-directed-services-general-information/

<u>Information that can be found:</u>

- Program Requirements
- State Regulations (CSR)
- Personal Care Provider Manual
- State Statutes (RSMo)-August 2020 Updates (208.900 935)



REGULATIONS - CSR

As a CDS provider you are held accountable to the Missouri Code of State Regulations along with CDS Program Requirements

- 19 CSR 15-8.100 through .500 CDS
- 19 CSR 30-82.060 Hiring Restrictions
- <u>13 CSR 70-3.020</u> Title XIX Provider Enrollment
- 13 CSR 70-3.030 Sanctions for False & Fraudulent Claims to MO HealthNet
- 13 CSR 70-3.320 EVV



CDS Program Statistics

- CDS Clients per county
- CDS Vendors per county
- CDS Vendors to Client



The DEPARTMENTS

DHSS

Department of Health & Senior Services

DSDS

Division of Senior & Disability Services

DSS

Department of Social Services

MMAC

Missouri Medicaid Audit & Compliance

MHD

MO HealthNet Division



How We All Work Together

 MMAC – Contract / Enrollment /Provider Review/Investigations

https://mmac.mo.gov/providers/provider-enrollment/home-and-community-based-services/

DHSS/DSDS – Participant Care

https://health.mo.gov/seniors/hcbs/

 DSS/MHD – Billing / Claims processing

https://dss.mo.gov/mhd/providers/fee-for-service-providers.htm



Proposal/Approved

Enrollment/Changes per Provider/Provider Review/Invest.

www.mmac.mo.gov



MHD eMOMED

Billing, Claims, and Education

www.dss.mo.gov



DSDS

Cyber Access

Set Policies and Participant Care

www.health.mo.gov

Proposal Submission & Process





Proposals

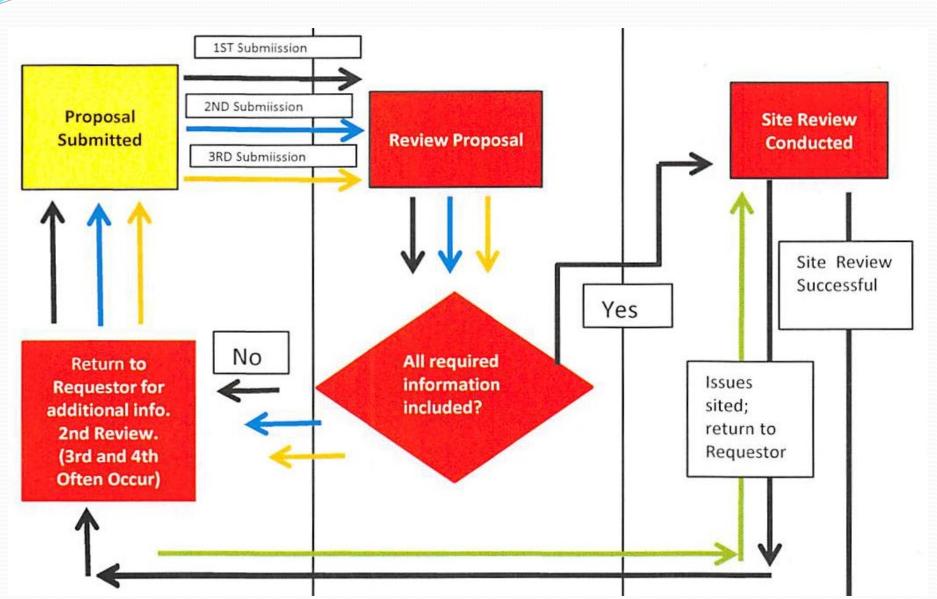
Make sure that you are submitting a <u>COMPLETE</u> proposal

 Use the checklist on the Proposal for Contract

https://mmac.mo.gov/wp-content/uploads/sites/11/2019/05/CDS-PROPOSAL-CHECK-LIST.pd .pdf

Make sure you have included everything on the checklist and that you are sending the documentation requested.

Proposal Process





Proposal is Approved

Approved Proposal

- Medicaid Enrollment forms are sent to the provider
- Notification of Site Visit
- Application fee paid

Site Visit

- MMAC representative will set a time for a virtual or in person visit and go over the checklist
- Once the site visit is completed, any additional pictures or documentation will be reviewed and processed
- Notification of any follow up needed will be sent out

Contract

- Provider Agreement emailed to the business email address
- Provider will fill out paperwork and send back the signed agreement along with the requested Box B notarized work affidavit and E-Verify Signature Page)
- MMAC will process the paperwork; finalize the enrollment
- Will email the signed contract along with a Welcome letter



Proposals

- Make sure forms are filled out Correctly and Completely (information where asked, signed and dated)
- Policies and Procedures meet submission requirements
 - Have you followed the submission requirements listed on the website? Are your policies numbered? Are the headers there? Did you sign them? Etc.

https://mmac.mo.gov/providers/provider-enrollment/home-and-community-based-services/contract-proposal-information/

Purchased Proposals

Even though there isn't a rule stating that you cannot buy your proposal -

The proposal you are submitting is for YOUR business; the whole purpose of the proposal process is to see that you understand the program, its requirements, and the rules and regulations that apply to it.

Proposals – Legal Business Name

- Use the Legal Business Name throughout
- When you register with the IRS; that is your legal business name and structure
- That legal name and structure must be used throughout the registration process and must all match each other.
 - IRS letter
 - Business Org. Structure
 - MO Secretary of State Office
 - MO Dept. of Revenue
 - Legal Business name use on all forms submitted with proposal.

Example:

- ABC Home Health Care LLC IRS Letter
- ABC Homehealth Care MO Dept. of Rev
- A B C Home Healthcare Vendor No Tax Due

LLC:

ABC Home Health Care

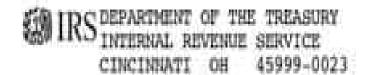
Cindy Werdehausen – Sole Member

Sole Proprietor:

Cindy Werdehausen

ABC Home Health Care

NOTE- If <u>LLC</u> or <u>Inc</u> is NOT in the name on the IRS letter do not list it when registering with other entities or on your enrollment forms.



PARTNERS LLC MATTHEW HORWITZ MER Date of this notice: 12-06-2016

Employer Identification Number:

Form: SS-4

Number of this notice: CP 575 B

For assistance you may call us at: 1-800-829-4933

IF YOU WRITE, ATTACH THE STUB AT THE END OF THIS NOTICE.

Example of Proof of Federal EIN

Proof of MO Tax ID (MO ID)



MISSOURI BUSINESS TAX REGISTRATION

•	Date: December 26, 2019			
	Notice Number:			
	Telephone: (573) 751-5860			
	Fax: (573) 522-1722 Email: businesstaxregister@dor.mo.gov			

The Department of Revenue received your Missouri tax registration application. You have been registered with the Department for the following account type(s) based on the information you provided on your application. You must report each tax or fee on the filling frequency indicated.

Account Type	ID	PIN	Begin Date:	Filing Frequency
EMPLOYER				QUARTERLY
WITHHOLDING TAX				

Use the Missouri Tax ID Number and PIN listed above when corresponding with the Department concerning your business and when filing any return or report. This is a Missouri Tax ID Number and does not replace your Federal Employer Identification Number or any registration number issued by the Missouri Secretary of State or Missouri Department of Labor and Industrial Relations.

The Department will provide you the applicable forms to file your return(s). If you do not receive a reporting form, download blank returns at http://dor.mo.gov/forms/.

For information regarding electronic filing your return(s), visit: https://mytax.mo.gov/rptp/portal/home/fileandpaybusinesstaxesonline. Electronic filing is available 24 hours a day, 7 days a week. Your tax return information is transmitted over secure lines to ensure confidentiality.

If you require additional information, contact the Taxation Division at the above address, telephone number, or e-mail.

Enclosure

TAXATION DIVISION
P O BOX 3666
JEFFERSON CITY MO 65105-3666



Missouri Department of Revenue

Telephone: (573) 751-9268 Fax: (573) 522-1265 E-mail: taxclearance@dor.mo.gov

FLORISSANT MO

RECEIVED

MAR 2 6 2019

MMAC
PROVIDER ENROLLMENT

November 26, 2018

RE: MISSOURI TAX ID NUMBER: FEDERAL IDENTIFICATION NUMBER:

Dear Sir or Madam:

Thank you for contacting the Department of Revenue. This is in response to your request for a Vendor No Tax Due in accordance with House Bill 600, Section 34.040.7 RSMo.

Enclosed please find the requested Vendor No Tax Due.

If you require additional information, please feel free to contact us at the above address or telephone number.

TAXATION DIVISION

Example of Unacceptable Proof of MO Tax ID

This is what I receive the most in proposals instead of the MO Dept. of Rev Registration Letter

HIPAA





HIPAA

Health Insurance Portability and Accountability Act of 1996

Federal Legislation that provides data privacy and security provisions for safeguarding medical information.



HIPAA - Office Requirements

- Office space dedicated solely to your provider
- Privacy
- Office with a door / not located in a common area
- Lock on file cabinets and door
- Safe guard to secure medical & personal information.
- NO VIRTUAL offices

Office Days/Hours of Operation

- Regulation does not state exactly the amount of time a HCBS provider is required to by open
- MMAC / DHSS-DSDS use the Reasonable Standard

Reasonable standard is defined as at least three (3) days per week (between Monday – Friday) for a minimum of four (4) hours per each day (between 8:00am – 5:00pm)

Example:

Mon, Wed, Fri: Noon – 4:00 pm – ACCEPTABLE

Mon, Wed, Fri: 10:00am -Noon - NOT ACCEPTABLE

Tue, Thur, Sat: 8:00am - Noon - NOT ACCEPTABLE



HIPAA VIOLATIONS

- Gossiping/Sharing PHI
- Improper disposal of records
- Loss or theft of devices
- Keeping unsecured records
- Lack of employee training
- 3rd Party discussion (others hearing your conversations)



HIPAA

- Taking client information from one provider and giving that information to another is a violation.
- Consumer EIN's do <u>not</u> belong to the CDS provider. Providing the consumer with THEIR EIN's is not a violation. IT IS a violation when a CDS Vendor does not make the EIN available to a client who is transferring to another agency.

HIPAA - Civil Penalties

- Did not know; exercised diligence: \$100-\$50,000 per violation up to \$1.5 mil per year
- Violation had reasonable cause but not willful: \$1000-\$50,000 per violation up to \$1.5 mil per year
- Violation was due to willful neglect but corrected:
 \$ 10,000-\$50,000 per violation up to \$1.5 mil per year
- Violation was due to willful neglect and not corrected: \$50,000 per violation up to \$1.5 mil per year

HIPAA - Criminal Penalties

Unknowingly or with reasonable cause:

Up to ONE year jail sentence

Under false pretenses:

Up to FIVE years jail sentence

For personal gain or malicious reasons:

Up to TEN years jail sentence





TRUE or FALSE

When you have a question about a policy, procedure, screening or billing question, it's good idea to ask your friend who is also a HCBS provider or maybe the other CDS that's just down the hall?



- If you don't know, ask someone; but don't ask just anyone.
- Know which department/division you need to pose your question to.
- Have your Legal Name and NPI at hand when emailing or calling with your question. Being prepared helps you and the person assisting you.



- Review your proposal that you submitted, particularly your policies and procedures. 80% of the time the questions being asked are in the policies and procedures you submitted.
- Utilize the resources available to HCBS Providers

Slides with website will be covered later in this presentation

Screenings







Background Screenings FCSR

Family Care Safety Registry

EDL

Employment Disqualification List



FCSR

- Must Screen all employees and attendants prior to hire (yes, even those who will work in the office)
- Screen against all aliases and SSNs they disclose on their employment application
- DHSS recommends that FCSR screenings of employees be done on an annual basis (PM-VM 17-31)
- If there is a finding on the FCSR, it is the provider's responsibility to verify if the finding is a disqualifying factor, not MMAC's.

Information Reported in the FCSR Background Screening

- Open Missouri Criminal History Records
- Sex Offender Registry
- Child Abuse/Neglect Records
- Department of Health and Senior Services (DHSS)
 Employee Disqualification List
- Department of Mental Health (DMH) Employee
 Disqualification Registry
- Child Care License Revocations
- Foster Parent License Denials, Revocations, Suspensions

- Disqualifying criminal offenses are found in 192.2495
 RSMo.
- A listing has been compiled and posted on the MMAC website

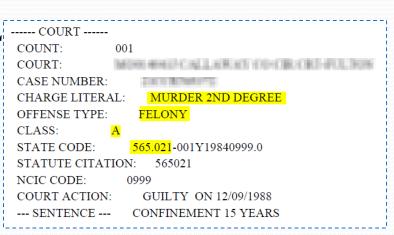
https://mmac.mo.gov/providers/provider-enrollment/home-and-community-based-services/fcsr-for-in-home-and-consumer-directed-services/

 To determine if a criminal offense disqualifies an in-home or consumer directed services worker from employment, compare the listing with the RAP sheet.





- When comparing the listing of disqualifying offenses with the RAP sheet, refer to the COURT section of each cycle.
 - Look at the CHARGE LITERAL
 - Look at the OFFENSE TYPE
 - Look at the CLASS
 - Look at the STATE CODE or STATUTE CITATION



Criminal Violations Listed Below:	Crime Class	RSMo Section
Murder in the second degree	A Felony	565.021





 When comparing the listing of disqualifying offenses with the RAP sheet, refer to the COURT section of each cycle.

- Look at the CHARGE LITERAL
- Look at the OFFENSE TYPE
- Look at the CLASS
- Look at the STATE CODE or STATUTE CITATION

COUNT: 001
COURT:
CASE NUMBER:

CHARGE LITERAL: ASSAULT 2ND DEGREE

OFFENSE TYPE: FELONY

CLASS: C

STATE CODE: 565.060-001Y19841399.0

STATUTE CITATION: 565060

NCIC CODE: 1399

COURT ACTION: GUILTY ON 02/03/2009

Criminal Violations Listed Below:	Crime Class	RSMo Section
Assault in the second degree	B Felony	565.052





- When comparing the listing of disqualifying offenses with the RAP sheet, refer to the COURT section of each cycle.
 - Look at the CHARGE LITERAL
 - Look at the OFFENSE TYPE
 - Look at the CLASS
 - Look at the STATE CODE or STATUTE CITATION

---- COURT -----COUNT: 001 COURT: CASE NUMBER: CHARGE LITERAL: THEFT-\$500/MORE-LESS \$25000 OFFENSE TYPE: FELONY CLASS: STATE CODE: 570.030-009Y20022399.0 STATUTE CITATION: 570030 NCIC CODE: 2399 COURT ACTION: GUILTY ON 08/11/2008

Criminal Violations Listed Below:	Crime Class	RSMo Section
Stealing / Theft	Any Felony	570.030

Documenting a finding

- When a HP (highway patrol) finding show's up and the crime is NOT a disqualifying factor – make note on the on the screening.
 - Your name
 - Date
 - Circle or notate the violation, class and citation code
 - Note that the finding is not a disqualifying factor and a GCW is not required

This will show MMAC/DSDS that further action was taken by the provider when the screening was made

Questions Regarding a Finding

You've done the screening, verified the criminal finding against the list and you're not sure or have questions

MMAC – Provider Review
Tamara Wills
573-751-3399



EDL

• RSMo 192.2490

Do Not Hire anyone listed on the EDL

 Check against the EDL prior to hire and every quarter

https://health.mo.gov/safety/edl/index.php



OIG LEIE

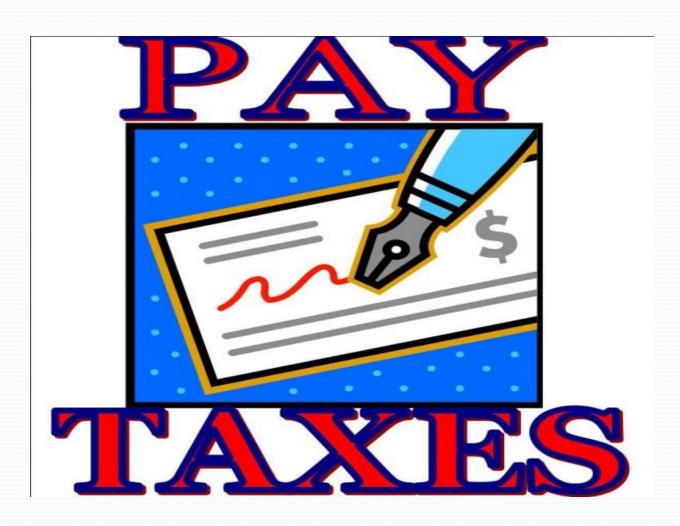
Office of Inspector General (OIG)
List of Excluded Individuals/Entities (LEIE)

http://exclusions.oig.hhs.gov/

CDS Program Requirements 5.2

OIG LEIE – screen all employees and attendants must be screened monthly.

Taxes





TAXES – Basic Need to Know

- Obtaining Federal, State and Local Employer Identification Numbers (EIN) on new and transferring Consumers
- Reporting new hires to the state of Missouri
- Filing quarterly and yearly taxes
- Closing a CDS Customer/Consumer
- Tax forms are always changing watch for updates



TAXES

FORMS VENDORS NEED ON EACH NEW CONSUMER FEDERAL

SS-4 Application (Federal EIN)

Form 8821 or 2848 POA & Declaration of Rep

(IRS wants the 8821 over the 2848)

Form 2678-Appoint of Agent (also used when closing a client)

STATE

Form 2643A-MO Tax Registration (State EIN)

Form 2827-Power of Attorney

Local/City (Kansas City & St. Louis)

What Taxes Do You File?

- Federal 941 quarterly or federal 944 annually
- MO 941 quarterly or annually
- Division of Employment Security Contribution and Wage Report - all quarterly
- Local Quarterly Taxes (Kansas City & St. Louis)
- W3/W2 annually
- MO W3 annually
- Local Annual Reconciliation (Kansas City & St. Louis)



Reminder - Taxes

- As a CDS vendor it is YOUR responsibility to make sure that taxes are filed and paid in a timely manner
- Taxes are filed under the Consumer's EINs and not the provider/vendor's EINs
- If a consumer decides to leave your CDS and go with another one, their EIN goes with them; it is NOT yours to keep.



Employment Security

Here are some of the main items they want you to know

- https://uinteract.labor.mo.gov/benefits/home.do
- Encourage you to use the Contribution and wage reports and paying online at <u>Uinteract1@labor.mo.gov</u>. For more information on the file format call Danielle Childs 573-751-3422 or Dot Pfeiffer 573-751-2271
- Remember to get all your clients reports and payments in a timely manner to stay in compliance

INVESTIGATIONS

75% of all referrals to the Investigations Unit Involve CDS Vendors

FRAUD

• This is when an individual or organization intentionally falsifies information for financial gain. One of the most common examples is a provider submitting claims to a payer for services never performed.

MEDICAID FRAUD:

- RSMo 191.905
- No health care provider shall knowingly make or cause to be made a false statement or false representation of a material fact in order to receive a health care payment.



For Providers:

• The provider should not submit claims solely on the basis of the prior authorization, but must base claims upon documentation of actual services rendered.

Do Not Bill Off the Care Plan

Overlapping Services

- If you bill for services while the participant is in the hospital or otherwise not receiving services, you may be guilty of stealing.
- Do not bill for services when the participant has died. (That is stealing and fraud)

Some Examples of Fraud

- Overcharging for services provided
- Charging for services NOT provided
- Accepting bribes or kickbacks for referring clients
- Incentives for retain clients
- Rendering inappropriate or unnecessary services

Examples of Kickbacks

Offering cash, goods or service to prospective clients to switch / to clients to stay / to attendants for referrals (cut grass for free if they stay or to have them switch)

Falsification of Documentation

The aide/attendant is believed to have falsified time on EVV reports if they:

- Leave early, and do not adjust their Telephony/EVV
- Arrive late, and do not adjust their Telephony/EVV
- Not showing up but claiming time worked
- Being in two (or 3) places at the same time
- Using EVV while their client is in the hospital or otherwise not receiving care

Records Request - Investigations

 When you receive a records request form MMAC's Investigations Unit, please respond within the required timeframe

- If you do not have the request records, let us know
- Do Not Make Up Records, I repeat,

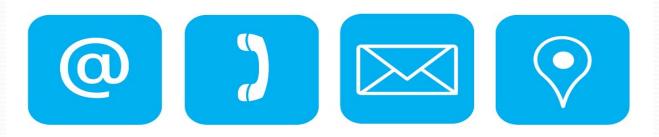
DO NOT MAKE UP RECORDS!

We can tell the records are forged and made up at the time of request



Records Request - Continued

- We send most of requests via fax or email
- Please make sure that your fax numbers and email addresses are updated with MMAC's Contracts/Enrollment Unit



• And when we call your listed main business phone number and get a "yeah" or "hello" or something other than your business name during your listed business hours, I will be letting our enrollment unit know that you are non-compliant with the requirements of being a provider.

Records Request – Continued

- The investigations unit will be attaching a Business Records
 Affidavit to each records request we send out. You must fill it out
 and have it notarized.
- Please mail the original to MMAC, Attn: (Investigator who sent the request), 205 Jefferson St. 2nd Floor. Jefferson City, MO 65102.
- Please include a copy of the notarized affidavit with the return of the records to whichever investigator is requesting them.
- Should you have any questions, please feel free to call me.
- Again, this affidavit has to be signed, notarized, and the original returned to Jefferson City.

THE STATE OF	
COUNTY OF	

BUSINESS RECORDS AFFIDAVIT

Before me, the undersigned authorit	ty, personally appeared	who
being by me duly swom, deposed a	s follows:	
My name is and personally acquainted with the	, I am of sound mind, capable of making this affic facts herein stated:	davit
I am the custodian of the records of	. Attached hereto are (ch	1008
one or more) page(s) of records		
☐ page(s) of records ☐ disc(s) containing a	andf file with negas	
☐ disc(s) containing a	describe cont	tents
e.g. two excel files, five audio reco	rdings, etc.) (describe con	
	(s) containing iles, five audio recordings, etc.)	
(describe contents, e.g. two excel fi	lles, five audio recordings, etc.)	
from	. These above described records are kept n the regular course of business, and it was the regular cour	by
business of	for an employee or representative vith knowledge of the act, event, condition, opinion, or diagr	3 0
recorded to make the record or to tra	nsmit information thereof to be included in such record; an e of the act, event, condition, opinion or diagnosis. The rec	ıd th
	Affiant	-
In witness whereof I have hereunto day of, 20	subscribed my name and affixed my official seal this	_
	Notary Public	-
My commission expires:		
-		
(Seal)		

Business Record Affidavit

Make sure that you send this back to the attention of the Investigator who sent the request.

CDS Providers/Vendors

- For CDS, the attendant can be a family member but cannot be the spouse
- Marriage Certificates are easy to find. \$3.00 in St. Louis City
- For In Home a family member is defined as a Spouse, Parent, Sibling, Child by blood, adoption or marriage, Grandparent or Grandchild

IMPORTANT

As a CDS vendor, it is your responsibility to pay all taxes in a timely manner.

It is really not fair for an 85 yr old CDS client to receive a notice from the IRS saying they are taking her home or keeping her social security check to pay the taxes that your agency agreed to pay.

The investigators will contact you to produce the proper paperwork showing taxes were paid.

We Need Your Help

- You're a taxpayer . . . It's your money!
- More services for this in need

- If you know about it and don't report it, YOU are committing fraud. This is the easiest way to get terminated from the program
- It's the right thing to do

Contact Information

MMAC FRAUD HOTLINE: 573-751-3285 MMAC FRAUD EMAIL: MMAC.ReportFraud@dss.mo.gov

Policy Questions can be directed to:
Bureau of Program Integrity via email programintegrity@health.mo.gov
or by phone 573-526-8557

Contact Info Mike Valley

michael.valley@dss.mo.gov

636-442-7074

Website: mmac.mo.gov



QUESTIONS



Provider Review Team - HCBS



Consumer Directed Services (CDS) Program Review

- Provider Review
- Reviews Performed
- Electronic Visit Verification (EVV)
- CDS Quarterly and Annual Reports

Provider Review Responsibilities

• The Provider Review Group is responsible for reviewing and monitoring statewide utilization and program compliance of Medicaid fee-for-service providers.

• The Group conducts post-payment reviews and researches complaints. Following a review, the Group may issue provider sanctions in accordance with applicable federal and state laws and regulations, including, but not limited to, educational letters, recovery of improperly paid funds, and request for a corrective action plan.

Provider Review Responsibilities

- The Group is responsible for detecting and identifying patterns of provider fraud, reviewing provider records, claims and payments to determine whether fraud, waste and abuse exist.
- The Group is responsible for referring suspected fraud cases to the MMAC Investigations Group for further and full investigations.
- The Group is also responsible for providing information and assistance in developing laws, regulations and policies and procedures for detecting and preventing fraud, waste and abuse of the Missouri Medicaid Title XIX Program.

On-Site Review

- Managers and billers need to be present to answer questions and explain billing process.
- Provider is notified prior to visit and there will be 2-4 staff.
- Tabletop and access to outlets to plug in scanners and laptops will be needed.
- MMAC will provide a list of participants being reviewed, dates of service and documentation required for the review.

On-Site Review Continued

- Provider will provide list of employees and social security numbers. This information will be checked using the Office of Inspector General's exclusion list, FCSR and employee disqualification list. Proof of qualified training needed to provide services can be requested also.
- Medical records, invoices, appointment calendars, care plans, progress notes, and travel logs are some of the documentation we may request for review.

Desk Review

- A medical record request will be mailed to the address of record for provider. The letter will identify the participant by name and Department Case Number (DCN) as well as specific or general dates of service needed.
- The time frame will specify when records are to be returned and contact name provided.
- Records may be copied and sent in paper form, faxed or, in the case of electronic medical records, they may be put on a CD. Should the provider have any questions about the transfer of medical records, please contact the requestor. Release of information is not needed to send information to MMAC.

Desk Review Continued

 Once the requested records are received they will be used to verify that services billed and paid by MO HealthNet are in accordance with established policy and procedure. It is strongly encouraged that the provider makes sure the information provided is complete. You will be notified of the audit findings in writing.

Documentation

- Personal Care Aide Requirements
- Documentations of Basic Training Requirements provided to the consumer/participant
- Participant Case Record
- Retention of Records
- Check to make sure services are adequately documented (Electronic Visit Verification – EVV)

Electronic Visit Verification is Required

- Effective January 1, 2021, the use of EVV is mandatory for all Medicaid PCS in Missouri. Effective January 1, 2021, Medicaid participants cannot opt out of using the PCS provider's EVV system.
- effective January 30, 2021, Missouri Code of State Regulations (CSR) 13 70-3.320 contains additional requirements for use of EVV for PCS services provided to Missouri Medicaid participants with a prior authorization, or care plan, as approved by the Department of Health and Senior Services (DHSS), Division of Senior and Disability Services (DSDS); or the Department of Mental Health (DMH), Division of Developmental Disabilities (DD).

Electronic Visit Verification is Required Cont.

- The provider's EVV has to be able to capture service information related to delivery of personal care services, including homemaker chores and respite.
- The EVV system will need to produce reports that provide task completed; participant identity; start/ stop times of service; date of service in summary that constitutes adequate documentation; explanation of codes; provider's identity; aide/attendant's identity (FCSR number); document manual adjustments.

Electronic Visit Verification is Required Cont.

 EVV report types: employee payroll, billing, point of entry, recipient detail, and electronic duty sheet. The provider must be able to run a report that covers all required documentation. Provider system should be able to convert documents to pdf and save to a jump drive or CD.

ELECTRONIC VISIT VERIFICATION AGGREGATOR

- The State of Missouri (State) Office of Administration (OA) awarded contract to Sandata Technologies, LLC. to implement the State's Electronic Visit Verification (EVV) Aggregator Solution effective April 1, 2021.
- Sandata will implement an EVV vendor-neutral aggregator system designed to interface and store the data from the EVV vendors operating in Missouri. Sandata will be responsible for interfacing with the EVV systems and ensuring the required data elements are being captured and exchanged. Sandata will offer training for both EVV vendors and personal care service providers regarding utilization of the aggregator system.

ELECTRONIC VISIT VERIFICATION AGGREGATOR

 Once enrolled with MO HealthNet, EVV vendor secured, and have participants authorized with Department of Health and Senior Services (DHSS) you will need to register with Electronic Visit Verification (EVV) Aggregator Solution (EAS). For questions or need assistance with registration contact Sandata at:

MOAltEVV@Sandata.com

CDS Financial & Service Report

CDS providers are required to complete and submit Financial and Service reports quarterly and Annual Service Report as follows:

- January 1st through March 31st Due by April 30th
- April 1st through June 30th Due by July 31st

CDS Financial & Service Report Continued

- July 1st through September 30th Due by October 31st
- October 1st through December 31st Due by January 31st

Annual Survey/Annual Report – January 1st through
 December 31st – Due January 31st of the following year.

CDS Annual Audit

RSMo 208.918.2 states vendors must demonstrate sound fiscal management as evidenced on accurate quarterly reports and an annual audit. 19 CSR 15-8.400(7) states vendors shall submit the annual audit, done by a properly licensed independent practitioner (certified public accountant licensed in the state of Missouri) pursuant to applicable federal and state laws and regulations, within one hundred fifty (150) days after the end of the vendor's fiscal year.

CDS Audit Continued

RSMo 208.909 - The Governor signed bill that requires by state statues all vendors/providers:

- 2. In order to maintain its agreement with the department, a vendor shall comply with the provisions of subsection 1 of this section and shall:
- (1) Demonstrate sound fiscal management as evidenced on accurate quarterly financial reports and an annual financial statement audit [submitted to the department] performed by a certified public accountant if the vendor's annual gross revenue is two hundred thousand dollars or more or, if the vendor's annual gross revenue is less than two hundred thousand dollars, an annual financial statement audit or annual financial statement review performed by a certified public accountant. Such reports, audits, and reviews shall be completed and made available upon request to the department;

The above went into effect 8/28/2020

Consequences

CDS Vendors who fail to submit quarterly reports, the annual service report, or the yearly financial audit conducted by a CPA will be subject to sanctions. MMAC will advise vendors, in writing, if reports are not received by their due date, to alert the vendors, and give them an opportunity to submit the reports.

Consequences Continued

Sanctions available to MMAC are:

- Education
- Suspend Medicaid Payments
- Suspend MO HealthNet Participation
- Termination

Where to submit required documentation

Scan via EMAIL: <u>MMAC.CDS@DSS.MO.GOV</u> (Preferred)

FAX: 573-526-4375

Physical address for UPS/Fedex: 205 Jefferson Street, 2nd Floor

Jefferson City, MO 65101

or

USPS Mailing Address: P.O. Box 6500

Jefferson City, MO 65102

QUESTIONS



CDS Providers



Additional Provider Responsibilities

- Collecting EVV reports and/or reviewing reports of delivered services and certifying the accuracy thereof
- Medicaid reimbursement process, including billing of claims, paying the attendant on behalf of the consumer and filing the appropriate taxes
- Monitoring the performance of the care plan and the utilization of units.

Per RSMo 208.909.1(8) The consumer, attendant and/or the CDS provider are required to notify DSDS if the consumer's health or his/her ability to self-direct care has significantly changed.



EVV (Electronic Visit Verification)

HCBS providers are required to have EVV

- Federal law, went into effect January 1, 2021
- No exceptions
- 13 CSR 70-3.320

 Regulations

https://www.sos.mo.gov/cmsimages/adrules/csr/current/13csr/13c70-3.pdf

The state of Missouri doesn't have a list of EVV vendors, we allow for the provider to decide what system works best for them. Make sure that the vendor you chose can meet all the requirements listed in the regulations.

Questions - ask.evv@dss.mo.gov / mmac.evv@dss.mo.gov

Keep These In Your "Favorites"

MMAC website – HCBS providers

https://mmac.mo.gov/providers/provider-enrollment/home-and-community-basedservices

DSDS – HCBS Provider Page

https://health.mo.gov/seniors/hcbs/

DSDS – Provider Memos

https://health.mo.gov/seniors/hcbs/infomemos.php

DSDS – Provider PCQs

https://health.mo.gov/seniors/hcbs/pdf/pcq.pdf



Keep These In Your "Favorites"

MO Health Net – EVV Page

https://dss.mo.gov/mhd/providers/electronic-visit-verification.htm

MO Health Net Fee for Service Page

https://dss.mo.gov/mhd/providers/fee-for-service-providers.htm

Sign up for newsletters from DSDS, MMAC & MO HealthNet

DSDS – HCBS Provider page

MO Health Net – Fee For Service & EVV

MMAC – Home page

QUESTIONS





MMAC - FORMS

- CHANGE REQUEST
- EFT banking
- BOS (Business Organization Structure)
- VENDOR PROFILE
- SAC (Service Area Commitment)
- CDS ASSURANCES

https://mmac.mo.gov/providers/provider-enrollment/home-and-community-based-services/provider-contracts-forms/



CHANGE REQUEST FORM

As a HCBS provider you are required to submit a Change Request form along with any requested documents/forms listed when you request a change.

(address, telephone, fax, email, days/hours, etc.)

Per 13 CSR 70-3.020(7) - **REQUIRES** MO HealthNet providers to notify MMAC Provider Enrollment Unit (PEU) of any changes to enrollment within 90 days of the effective date, except for changes in ownership (CHOW) which must be reported within 30 days of the effective date.

Changing Banking Accounts

Must submit EFT form and a Change Request form

DO NOT close the current account until a deposit has been made into the new account or your payments will be delayed

Sometimes banking changes are kicked back for one reason or another; that is why we ask that you NOT close the old account until a deposit has been made into the new one.

Certificate of Attendance

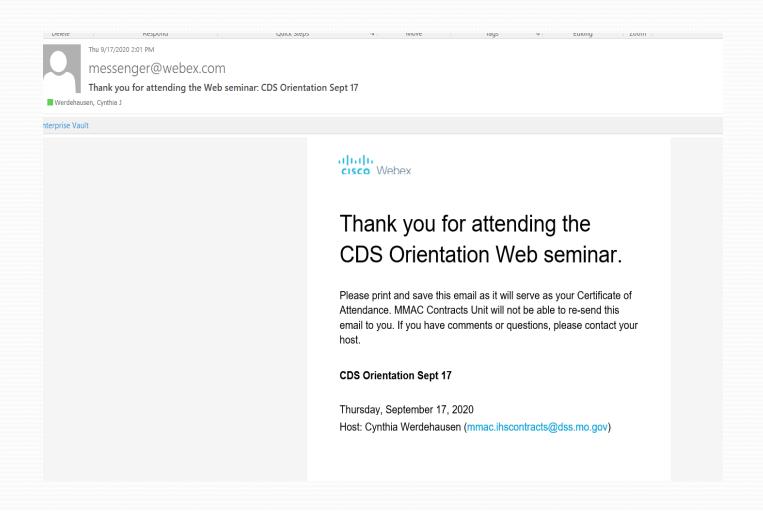
You will receive a confirmation of attending email form WebEx later today (2:00 pm) as your proof of attendance.

THE EMAIL IS YOUR PROOF OF ATTENDANCE

Save the email and also print a copy for your records, MMAC will not be able to resend you the email if you delete it.

It will be sent to the same address that you received the WebEx Events invitation.

Certificate of Attendance



THANK YOU

Contact Info:

Cindy Werdehausen
MMAC Contracts Unit

Please send emails to

mmac.ihscontracts@dss.mo.gov